IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 16789 of 2004

Between:

Koppisetti Veera Venkata Ramana, S/o. Late Veeranna,
R/o. Door No.1-218, Near III SAPSP, Rayuduvaripalem, Ramanayyapeta,
Kakinada, East Godavari District.

..... PETITIONER

AND

1 A.P. Transco, Kakinada, Rep. by its Divisional Engineer, Kakinada Division, Kakinada, East Godavari District.
2 A.P. Transco, Rep. by its Chief Engineer,
Vidyut Soudha, Khairatabad, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, especially one in the nature of Writ of Mandamus declaring the action of the respondents herein in not considering the petitioner's application for appointment on compassionate grounds as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and consequently, direct the respondents to forthwith consider petitioner's application for appointment on compassionate grounds in a suitable post.

Counsel for the Petitioner:MR. N.VIJAY

Counsel for the Respondents: MR.S.RAVINDRANATH

The Court at the stage of admission made the following :

WRIT PETITION NO : 16789 of 2004

ORDER:

The petitioner is contending that he is the son of the deceased employee of the 1st respondent-corporation. The father of the petitioner died on 18.1.1999 and subsequently, he made an application for compassionate appointment. The petitioner produced a matriculation certificate. The respondents suspected it to be a forged one and gave a complaint to the concerned police for prosecution. A crime was registered against the petitioner for the offence under Sections 420, 471, 419, 465 and 468 IPC and in pursuance of that, C.C.No.492 of 2000 was numbered. The petitioner submits that he was acquitted in the said criminal case through the judgment dated 30.3.2002. He further submits that as he is not required to have any educational qualification for the post of the sweeper, the respondents may be directed to consider his application for appointment on compassionate grounds.

The grievance of the petitioner is that irrespective of genuineness or otherwise of the matriculation certificate produced by him, he is entitled to be considered for the post of sweeper, which does not require any minimum qualification.

In the light of the circumstances explained by the petitioner, the respondents are directed to pass appropriate orders on his application for compassionate appointment as per rules and communicate the same to the petitioner, within two months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

20th September, 2004

Nn

Copies to:

1 The Divisional Engineer, A.P. Transco, Kakinada, Kakinada Division, Kakinada, East Godavari District.
2 The Chief Engineer, A.P. Transco,
Vidyut Soudha, Khairatabad, Hyderabad.

3. Two C.D. copies.